

**GOVERNMENT CODE SECTION 65858(D) WRITTEN REPORT  
FOR INTERIM ORDINANCE NO. 17-3,892**

On April 25, 2017, the Council adopted Interim Ordinance No. 17-3,892 pursuant to Government Code Section 65858 (a), which establishes interim development standards for new Accessory Dwelling Units (ADU) in all residential zones. The adopted interim ordinance took effect immediately and is in place for a period of 45 days and will expire by operation of law unless extended by the City Council by June 7, 2017.

The interim ordinance enacts permissible City standards for ADUs so that new ADU applications can be evaluated by the City in compliance with state law, which provides new housing opportunities while being sensitive to the existing character of the City's single family and multifamily residential neighborhoods. Any new Accessory Dwelling Unit (former Second Dwelling Unit) applications submitted on or after January 1, 2017 must comply with these interim development standards including permitted zones, parking requirements, size and setbacks. The City Council adopted the interim ordinance to provide additional time needed by City Planning staff in order to properly address the risk of adverse impact to the public safety, health, and welfare that could result from implementation of the State ADU regulations without developing a local set of ADU regulations. The interim ordinance and any future zone text amendment are intended to preserve and protect the character of the City's residential neighborhoods.

Government Code Section 65858(d) requires that 10 days prior to the expiration or extension of any interim ordinance, the City must issue a written report describing the measures taken to alleviate the condition that lead to the adoption of the interim ordinance. Interim Ordinance No. 17-3,892 is set to expire on June 7, 2017, and the City Council will consider a ten-month-and-15-day extension of the interim ordinance on June 6, 2017.

The City has taken the following measures to alleviate the condition that led to the adoption of the interim ordinance:

1. Since the adoption of Interim Ordinance No. 17-3,892, City Planning Staff has been meeting with representatives from the Public Works Department, Burbank Water and Power, and the Fire Department to research and study the new state ADU regulations and the City's adopted interim ordinance on ADUs to identify potential impacts to the City's established single family and multiple family residential neighborhoods.
2. Planning staff is currently reviewing ADU regulations in neighboring municipalities to compare these regulations to the City's interim ordinance regulating ADUs in order to identify potential best practices that could be incorporated in to a future zone text amendment that would eventually replace the current interim ordinance.

3. Planning Staff has also begun to hold community meetings such as the one held on May 17, 2017 to provide the public with information regarding the City's interim ordinance on ADUs and the new State regulations. The community meetings also provide an opportunity for the public to comment and provide suggestions on how to best facilitate new ADUs while preserving and protecting the character of the City's residential neighborhoods.
4. Planning staff has also initiated discussions with the Rancho Review Board to discuss the State and City ADU regulations and assess any potential impacts and alternative solutions that help preserve the unique equestrian single family residential character of the R-1-H zone and the Rancho neighborhood.
5. Planning staff is continuing to undertake ongoing input from the community in anticipation of preparing a zone text amendment for consideration by the Planning Board initially, and ultimately, by the City Council as provided for in Burbank Municipal Code, Title 10, Chapter 1 (Zoning), Article 19 (Procedures and Amendments), Division 7 (Text Amendment).
6. Planning staff will require additional time beyond the current 45 period provided by the interim ordinance on ADUs in order to solicit sufficient public input, prepare the necessary report and findings required for said zone text amendment and present all this information to the Planning Board. The Planning Board review precedes any future review by the City Council of a proposed zone text amendment as required by the Burbank Municipal Code.

The extension of the interim ordinance will provide Planning staff with the time necessary to properly develop the required zone text amendment regulating new ADUs in a manner that protects the public safety, health, and welfare while also preserving and protecting the character of the City's residential neighborhoods.

Date Posted: May 25, 2017

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